

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RENE DEWAYNE MANUEL,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. 3:24-cv-05412-RAJ-DWC

ORDER

I. INTRODUCTION

THIS MATTER comes before the Court on *pro se* Petitioner Rene Dewayne Manuel (“Petitioner”)’s Motions for Relief from Judgment. Dkts. ## 27, 29. The Court issued an Order denying four similar motions on November 15, 2024, and reincorporates the facts as presented in that Order. *See* Dkt. # 28.

II. DISCUSSION

Petitioner challenges the judgment for being procedural defective pursuant to *Gonzalez v. Crosby*, 545 U.S. 524 (2005).¹ *See* Dkts. ## 27, 29. He further asserts that the Court

¹ Petitioner makes a typographical error in his citation to this case, highlighting his carelessness in filing this series of motions.

1 violated the Magistrate Act and Habeas Rule 8(b) by failing to conduct *de novo* review of
2 his Motion for an Evidentiary Hearing. Dkt. # 27 at 1. Petitioner also claims this Court
3 “asserted a procedural defense not made by respondent.” Dkt. # 29 at 1.

4 To the extent Petitioner challenges *de novo* review of any motion filed before the
5 Court adopted the Report, the Court properly considered all pleadings. *See* Dkt. # 14 at 1-
6 2. Furthermore, the Court did not “assert a procedural defense not made by respondent.”
7 *See* Dkt. # 29 at 1.

8 Petitioner has consistently taken advantage of valuable judicial resources by filing
9 a surfeit of meritless motions. He also appears to disregard prior orders. None of the
10 motions alters the uncontested fact that the habeas petition filed in this case is time-barred.
11 The Court will not consider any further filings from Petitioner.

12 III. CONCLUSION

13 For the foregoing reasons, the Court **DENIES** the pending motions. Dkts. ## 27,
14 29. The Clerk is **INSTRUCTED** not to accept any further filings in this case.

15 Dated this 25th day of November, 2024.

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18 The Honorable Richard A. Jones
19 United States District Judge
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